Seth Bordelon/R4/FWS/DOI
03/08/2011 11:57 AM

To john.herman@us.army.mil
cc
bcc
Subject Big River Industries (MVN-2010-1148-CY)

John,

The Service has reviewed the alternatives analysis provided by the applicant, along with the permittee-responsible mitigation plan (Round Lake Mitigation Area). The applicant feels that alternative sites in the vicinity of Erwinville would not be practicable. The specific properties of interest to the Service appear to be used as pastures and contain the appropriate soils. However, the applicant points out that their current equipment used to move material from the mine to the plant is not approved for use on public roads. They would need to purchase new trucks, establish a cleaning system for those trucks to prevent tracking onto roads, and U.S. 190 would likely need to be upgraded to add a turning lane if the selected site was located to the east of or south of the current location. The Service, therefore, concurs with the applicant that this is not practicable.

The Service also concurs with the use of the proposed Round Lake Mitigation Area to offset impacts associated with Big River Industries expansion. I have not reviewed the WVA calculations, however, as I have not been to either site. Therefore, my review of the proposed mitigation plan focused solely on it's ecological and technical merit. Let me know if this mitigation proposal is ultimately selected, and please coordinate with us if it is not selected or if any additional mitigation is required.

Sincerely,

Seth Bordelon
U.S. Fish & Wildlife Service
Lafayette Ecological Services
337.291.3138
seth_bordelon@fws.gov

Big River Industries, MVN-2010-1148-CY

Tamara Mick to: John.M.Herman 04/04/2011 08:49 AM
Cc: "Davis, Chris (F&R)", Seth_Bordelon
Bcc: "Couret, Gary M MVN"

John,

EPA has reviewed the Alternatives Analysis (AA), Permittee-Responsible Mitigation Plan (Plan), Project Description Summary, and Request for Additional Information provided by Big River Industries (BRI) and offer the following comments:

Alternatives Analysis:

BRI was very thorough and detailed in presenting information for the project purpose, e.g., logistics (handling of material, transportation availability/considerations), characteristics of Louisiana sharky clay, cost (transportation and new infrastructure at alternative site), availability of property, alternative sites within and outside Louisiana, etc. Although a few discrepancies were noted, the AA is acceptable .

Request for Additional Information:

Statements made that may have issues -

"There are no anticipated indirect, secondary, and/or cumulative impacts by the proposed project." (This statement also appears in the Mitigation Plan and Project Description Summary.)

- The natural hydrologic regime cannot help but be affected by replacing approximately 168 acs of wetlands with "open water lakes." Sheet flow would be altered by the "big hole" in the ground. By eliminating 168 acs of wetlands, the surrounding wetlands, overtime, would decline, hence, a secondary impact. Also, the functions provided by the wetlands would be eliminated, e.g., water quality improvement, floodwater storage, wildlife habitat.

"After mining, the site will have open water lakes with vegetated littoral shelves providing aquatic habitat. These aquatic habitats provide additional food and water sources to wildlife, nesting areas, as well as providing stormwater treatment for water flowing through the site and floodwater storage."

- According to the drawings, the proposed mines would be at a depth of 50'. The drawings did not show any proposed vegetated littoral shelves. Littoral shelves should be at a depth (not greater than 3' deep) to optimize aquatic plant growth especially during extreme flood and/or drought periods. What are the applicants plans for constructing the littoral shelves and what remedial action established should the vegetation fail? A large open water lake is not necessarily aquatic habitat.

"After mining is complete, water levels in the mine pit will be allowed to return to natural, ambient levels and will not impact the adjacent mitigation bank."

- As stated above, one of the functions of a wetland is floodwater storage. Once the pits have reached natural, ambient levels, how much floodwater storage would there be?

"Mining in the proposed extension area is not expected to impact the Cholpe Acres Wetland Mitigation Bank."

- Although the proposed project is not 'expected' to impact the bank, what measures would be implemented if the bank begins to experience impacts once the hydrologic regime is altered?

Permittee-Responsible Mitigation Plan:

The Mitigation Plan is acceptable however we do not concur with the statement: "There is no anticipated indirect, secondary, and/or cumulative impacts by the proposed project." (See reasons stated previously.) We also do not concur with the proposed 1.2:1 ratio and recommend a minimum of 1.5:1.

"The wetlands on-site have been disturbed by timber activities by others and are of poor quality."

- The wetlands to be impacted are contiguous with adjacent similarly vegetated wetlands and various drains. Although the wetlands were timbered in the past (6-7 years ago), an approximate 15% of the overcanopy trees were left, however approximately 10% of site is covered with invasive or nuisance species. What is the condition of the site today?

Thanks for the opportunity to review and comment on the documents for BRI. If you have any questions or would like to discuss, please don't hesitate to call.

Tamara Mick
US EPA Region 6
Wetlands Section
Dallas TX 75202
214-665-7134

RE: Big River Industries, MVN-2010-1148-CY
Davis, Chris (F&R) to: Herman, John M MVN 04/07/2011 02:21 PM
Cc: Tamara Mick, Seth_Bordelon

LDWF concurs with the mitigation site proposal, however the 250 survivability amount of saplings (page 12) needs to be changed to:

> By Year 5, a minimum of 300 seedlings per acre must survive. Trees established through natural recruitment may be included in this tally; however, exotic/invasive species may not be included in this tally. This standard is consistent with recently established BLH mitigation Banks in the N.O. District. Conversely, the amount of hard mast species surviving shall be increased from 125 to 150.

LDWF also concurs with EPA, in that the mitigation ratio should be increased from 1.2:1, to 1.5:1.

The applicant shall produce a slope of at least 4:1 (H:V) on the edge of the borrow pits once mining has ceased. Pit side slopes that are 4:1, or more gently sloping, improve wildlife access and revegetation capability, and are safer for users.

Chris Davis
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From: Mick.Tamara@epamail.epa.gov [mailto:Mick.Tamara@epamail.epa.gov]
Sent: Monday, April 04, 2011 8:50 AM
To: John.M.Herman@usace.army.mil
Cc: Davis, Chris (F&R); Seth_Bordelon@fws.gov
Subject: Big River Industries, MVN-2010-1148-CY

John,

EPA has reviewed the Alternatives Analysis (AA), Permittee-Responsible Mitigation Plan (Plan), Project Description Summary, and Request for Additional Information provided by Big River Industries (BRI) and offer the following comments:

Alternatives Analysis: